

Amdt B/#8  
EXT(3) 4.23.03  
Docket 17329DIV1  
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Serial No. 09/938,112

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Donovan	)	Examiner: Chih-Min Kam
	)	
Serial Number: 09/938,112	)	Art Unit: 1653
	)	
Filed: August 23, 2001	)	
	)	
For: CLOSTRIDIAL TOXIN DERIVATIVES	)	
AND METHODS FOR TREATING PAIN	)	
<hr/>		Irvine, California

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**RESPONSE TO OFFICE ACTION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

**REMARKS**

**This response to office action amends the title of the application and amends claims 21, 23, 36-37, 67-72 and 76-80 (see pages 8-15 below)**

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I. Introduction

The March 11, 2003 office action in this patent application (hereafter the "Office Action"):

1. rejected claims 21-25, 36-37, 67-77 and 79-80 under 35 U.S.C. section 112, first paragraph.

2. rejected claims 21-25, 36-37 and 67-80 under 35 U.S.C. section 112, second paragraph.

Applicant wishes to thank the examiner for the Office Action and responds to the Office Action as follows.